

STATE OF VERMONT
PUBLIC SERVICE BOARD

Docket No. 7396

Petition of Vermont Electric Power Company,)
Inc., and Vermont Transco, LLC, for authority to)
condemn easement rights in property interests of)
Joan E. Keating and Universal Mortgage)
Corporation, located in Waterbury, Vermont, for)
the purpose of constructing the 115 kV)
transmission line portion of the so-called)
Lamoille County Project)

Order entered: 12/7/2009

ORDER CLOSING DOCKET

REPORT

On September 8, 2008, Vermont Electric Power Company, Inc., and Vermont Transco LLC (collectively, "VELCO"), filed a petition to condemn easement rights in property interests of Joan E. Keating and Universal Mortgage Corporation, located in Waterbury, Vermont. I convened a prehearing conference on November 20, 2008, and conducted a site visit to the property on December 9, 2008. On February 11, 2009, VELCO filed a letter asking that the schedule in this proceeding be suspended.

On July 22, 2009, VELCO filed a Motion for Dismissal of its petition. A copy of the motion was served on the Landowners, who have not responded to the motion. Because I assume that any prejudice to the respondent has been compensated in the negotiated resolution, and because I assume that the only prejudice arising from dismissal of this petition would be to the company seeking condemnation of the Landowners' property and that party is now requesting the dismissal, I conclude that the petition for condemnation may be dismissed and this docket closed.

This decision is not adverse to the interest of any party, so it need not be circulated to the parties pursuant to 3 V.S.A. § 811. This report is made to the Public Service Board pursuant to 30 V.S.A. § 8.

Dated at Montpelier, Vermont, this 4th day of December, 2009.

s/John P. Bentley
John P. Bentley, Esq.
Hearing Officer

ORDER

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED by the Public Service Board of the State of Vermont that:

1. The Report of the Hearing Officer is accepted.
2. The motion to dismiss the petition to condemn is granted.
3. This docket shall be closed.

Dated at Montpelier, Vermont, this 7th day of December, 2009.

<u>s/James Volz</u>)	
)	PUBLIC SERVICE
)	
<u>s/David C. Coen</u>)	BOARD
)	
)	OF VERMONT
<u>s/John D. Burke</u>)	

OFFICE OF THE CLERK

FILED: December 7, 2009

ATTEST: s/Susan M. Hudson
Clerk of the Board

NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@state.vt.us)

Appeal of this decision to the Supreme Court of Vermont must be filed with the Clerk of the Board within thirty days. Appeal will not stay the effect of this Order, absent further Order by this Board or appropriate action by the Supreme Court of Vermont. Motions for reconsideration or stay, if any, must be filed with the Clerk of the Board within ten days of the date of this decision and order.